

ENTERED

June 18, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DAVID LONGMAN,

Plaintiff,

v.

UNKNOWN DEFENDANTS

Defendants.

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CIVIL ACTION NO. 2:24-CV-00015

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

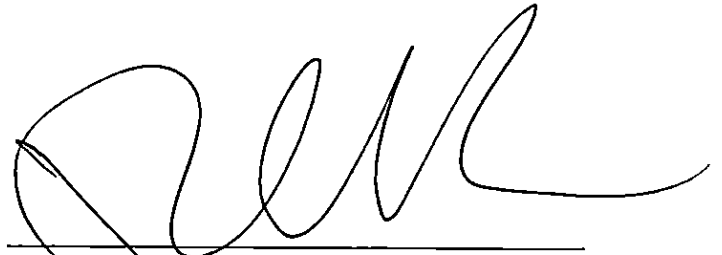
Before the Court is Magistrate Judge Mitchel Neurock's Memorandum and Recommendation ("M&R"). (D.E. 9). The M&R recommends that the Court deny Plaintiff's motion for preliminary injunction and temporary restraining order, *see* (D.E. 1), and dismiss the case without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or comply with court orders. *See* (D.E. 9, p. 2–3).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Badaiki v. Schlumberger Holdings Corp.*, 512 F. Supp. 3d 741, 743–44 (S.D. Tex. 2021) (Eskridge, J.).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 9). Accordingly, the Court **DENIES** Plaintiff's motion for preliminary injunction and temporary restraining order. (D.E. 1).

The Court **DISMISSES** this case **without prejudice** pursuant to Rule 41(b). A final judgment will be entered separately.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
June 18th, 2024